



Louisiana Local Public Agency Manual for Accessing Federal & State Transportation Funds for Locally Owned Projects¹

Frequently Asked Questions
(FAQs) for Sponsoring Entities

June 2011

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities

Table of Contents

Frequently Asked Questions (FAQs) for Sponsoring Entities – Federally Funded Programs

- General
 - Federal Highway Administration
 - Disadvantaged Business Enterprise (DBE) Program
 - Funding
 - Responsible Charge¹
- Stage 0 – Feasibility
 - Agreements
 - Scope Changes
 - Consultant Selection
- Stage 1 – Planning / Environmental
- Stage 2 – Funding / Project Prioritization
- Stage 3 – Final Design Process
 - Plan Development
 - Permits
 - Right-of-Way
- Stage 4 – Letting
- Stage 5 – Construction
 - Construction Coordination
 - Change Orders
 - Reimbursement
 - Paperwork

Frequently Asked Questions (FAQs) for Sponsoring Entities Capital Outlay Programs (Port Priority and Statewide Flood Control Programs)*

*Note: These questions and answers are provided to identify any deviation in procedures for the Capital Outlay Programs (Port Priority and Statewide Flood Control Programs) from the procedures for the FHWA funded programs. If no FAQ is found in this section, assume the FAQs for FHWA funded program applies.

- General
 - Disadvantage Business Enterprise (DBE) Program
 - Funding

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities

- Stage 0 – Feasibility
 - Agreements
 - Scope Changes
 - Consultant Selection
- Stage 1 – Planning / Environmental
- Stage 3 – Final Design Process
 - Plan Development
 - Permits
 - Right-of-Way
- Stage 4 – Letting
- Stage 5 - Construction
 - Construction Coordination
 - Change Orders
 - Reimbursement
 - Paperwork

List of Revisions¹

¹ Revision 5-2012

Frequently Asked Questions (FAQ's) for Sponsoring Entities

GENERAL

WHAT IS THE FEDERAL HIGHWAY ADMINISTRATION?

The Federal Highway Administration (FHWA) is a branch of the U.S. Department of Transportation. The FHWA is charged with the administration of the Federal-Aid Highway Program. In cooperation with the states, it administers the financial aid given to the states for highway projects from the National Transportation Trust Fund. The FHWA Louisiana Division Office partners with the DOTD to administer these funds.

WHAT IS THE FEDERAL AID HIGHWAY PROGRAM?

It provides federal financial resources and technical assistance to State and local governments for constructing, preserving, and improving the National Highway System, a 163,000+ (163,752 actual)-mile network of roads which comprises only 4 percent of the nation's total road mileage but carries approximately 45 percent of the Nation's highway traffic. The program also provides resources for one million additional miles of urban and rural roads that are not on the National Highway System, but that are eligible for federal-aid.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

Note: The procedures for many of the programs described herein funded through the Federal Aid Highway Program are applicable to any public road.

Disadvantage Business Enterprise (DBE) Program

WHAT IS THE DBE PROGRAM?

It is the policy of the United States Department of Transportation (USDOT) that Disadvantaged Business Enterprises (DBEs) have an equal opportunity to participate in the performance of federally financed contracts or subcontracts. To achieve this goal, all projects are reviewed to ensure their contractors take steps to encourage DBEs to compete for construction contracts, procurement contracts, grants, services, financial aid or other benefits.

In accordance with guidance provided by the Federal Highway Administration (FHWA), contracts executed by local agencies that have FHWA funds must be in compliance with the DOTD DBE Program.

The DOTD Compliance Programs can arrange for the Department's Equal Opportunity Office (EEO) to provide training to local agencies, as necessary.

WHAT IS A DBE GOAL?

A project goal is the monetary portion of a federal aid project which is determined to be reasonably met by contractors using certified DBEs.

HOW ARE DBE PROJECT GOALS ESTABLISHED FOR A PROJECT?

The DOTD will review each project to determine if the work allows for DBE participation. The DOTD Goal Setting Committee considers the following criteria when making a goal:

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

(1) the dollar amount of the contract to make sure that it is large enough to allow efficient subcontracting, (2) the type of work on the project that can be subcontracted, and (3) the availability of DBE firms in the project area able to do the required work.

WHO IS RESPONSIBLE FOR DBE MONITORING AFTER CONTRACT AWARD?

Your engineer or consultant is responsible to monitor the DBE's performance to ensure the Commercially Useful Function (CUF) is performed. If the monitoring is not adequately performed, you are held responsible and will have money withheld.

WHERE CAN I FIND ADDITIONAL DBE INFORMATION?

Additional information on the Disadvantaged Business Enterprise Program can be found on the DOTD website. The path is Doing Business with [DOTD/Compliance Programs](http://www.dotd.la.gov/administration/compliance/). (<http://www.dotd.la.gov/administration/compliance/>) and the FHWA website (<http://www.fhwa.dot.gov/civilrights/programs/dbess.htm>)

Funding*

(*This Section not Applicable to the Off-System Bridge Replacement Program or Highway/Rail Safety Program where DOTD manages the contract)

WHAT ARE FHWA FUNDS?

Federal-aid funds are cost reimbursable funds provided to the Local Public Agencies by the FHWA through DOTD. FHWA notifies the state that an amount of federal funds is available to be obligated or set aside for project expenses. All FHWA programs are reimbursement programs - not grant programs. The use of federal funding generally requires a match or **sponsoring entity** contribution. All sources of federal-aid match are subject to federal requirements.

WHAT IS FEDERAL AUTHORIZATION AND WHY MUST I HAVE IT?

Prior to beginning reimbursable work, you must obtain written approval from DOTD to begin work. DOTD WILL NOTIFY YOU OF YOUR NOTICE TO PROCEED

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

DATE ONCE DOTD HAS OBTAINED FEDERAL AUTHORIZATION. Federal authorization is when FHWA officially approves the project and establishes the funding for the project in the federal financial system. Any work performed prior to DOTD receiving federal authorization for a project CANNOT be reimbursed and can jeopardize the eligibility for reimbursement for the whole project.

Project authorization is obtained by DOTD through a stewardship agreement between FHWA and DOTD. The agreement delegates the oversight and review responsibilities for locally administered federal-aid projects to DOTD. This means DOTD has the responsibility to ensure the project is implemented in accordance with all the applicable federal and state rules and regulations.

Transportation projects can be divided into three main phases of work: preliminary engineering, right-of-way, and construction. Authorization is typically sought for each separate phase by DOTD. (DOTD may require some large or complex projects to be further divided into sub-categories of the three noted. For example, if you have a complicated project, the DOTD may insist only work up to Design Approval [preliminary design] can be authorized. In those cases, following Design Approval you would request an authorization to proceed for final design. This graduated process is to assure all required steps in the design process are completed.) **DO NOT BEGIN WORK BEFORE YOU RECEIVE WRITTEN APPROVAL FROM DOTD.**

WHEN DO I GET MY CHECK?

Remember these are cost reimbursable, pay-as-you-go programs. The money is not paid in an upfront lump sum check to you. The money is only set aside for the authorized phase of the project. When your project is selected, the money is not deposited into a spending account for your project. The project will not be sent for authorization by the FHWA until the final bid documents have been approved. If your project costs are less than the approved estimate, you cannot use the money for another project. In no case will money be set up until the project has been authorized by FHWA. **Do NOT start with any work for which you expect to be reimbursed until you are notified in writing from DOTD to proceed.** If money is expended prior to the Notice to Proceed these costs incurred will not be eligible for reimbursement. If in doubt, call your DOTD Project Manager.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT IF THE COST INCREASES?

There are federal-aid programs where additional funds are not available beyond the approved project amount; examples include the Transportation Enhancement Program (TEP), High Priority Program (HPP) and Transportation, Community and System Preservation Program (TCSP). **You will be responsible for any cost in excess of the maximum federal funds for these projects.**

If there is a legitimate cost increase for your project and the Program Manager determines IF additional funds are available, then a request is made to FHWA to increase the funds for the appropriate phase of work. Work on the project can continue while the increased federal obligation request is being processed. However, even an approved increase in the federal obligation does not mean the increase can be paid without an amendment or supplement to the Entity-State Agreement. Any funding increase for projects within a MPO area must be approved by the MPO.

WHAT HAPPENS IF THE SPONSORING ENTITY REQUIRES THE CONTRACTOR TO PERFORM ADDITIONAL WORK THAT IS NOT SPECIFIED IN THE CONTRACT?

Any work not specified in the contract that is authorized by the **sponsoring entity** without approval by the DOTD Program Manager may not be reimbursed. Reimbursable work **MUST** be approved by DOTD.

WHAT HAPPENS IF I DECIDE TO WITHDRAW A PROJECT?

If you decide to not complete a project, then you shall reimburse all federal expenditures, if any, to DOTD.

HOW MUCH FUNDING WILL I RECEIVE?

The federal funding for the project is set in the Entity-State Agreement according to federal guidelines. You should carefully control increases and overruns as they may

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

jeopardize completion of the entire project. If you decide to not complete a project, then you shall reimburse all federal expenditures, if any, to the DOTD.

The amount of *state only funds* are set in the Entity-State Agreement according to the state administrative code(s) procedures.

HOW MUCH MONEY DO I NEED ON HAND?¹

These are cost reimbursable programs. With the exception of the Off-System Bridge Replacement (OSBR) Program, you are the contracting party to the consultant/contractor. DOTD will disburse to you, the **sponsoring entity**, funds for the monthly invoice at the correct ratio of the costs of preliminary engineering services, right-of-way acquisitions, utility adjustments and the costs of construction in effect at the time of authorization. You will submit an executed DOTD Cost Disbursement Certification to the DOTD Project Manager or District Construction Project Coordinator. Upon receipt of each disbursement requested, you are required to pay the invoiced cost. Within sixty (60) days from receipt of payment from DOTD you must provide proof of your payment to the consultant/contractor. Therefore, you are required to have enough money to pay the invoices as per Louisiana law (within 30 days). Invoices may be filed with DOTD on a monthly basis; therefore, you should ensure that you have sufficient monies set aside to cover payments and construction contract administration services.

WHAT TYPE OF MATCH CAN I USE?

IN-KIND SERVICES

In-kind services are those services provided by the **sponsoring entity** using locally contributed labor and material. This work could include such items as drainage work, clearing and grubbing, etc. With the exception of the Recreational Trails Program and Local Roads Safety Program, in-kind services may only be used to reduce the overall cost of the project but will not count as match for the project.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

REAL-PROPERTY MATCH

Some programs allow the use of real property as flexible match. Use of the Right-of-Way (ROW) as flexible match must be established and pre-approved in the feasibility stage and documented in the Entity-State Agreement. **The real property must be specifically acquired for the project and cannot be already owned public land. All federal guidelines for acquisitions will apply. All ROW acquisition procedures and the associated documentation must be cleared by the DOTD Right-of-Way Section in accordance with the “LPA Right-of-Way Manual.”**

CASH-MATCH SOURCES

The Transportation Enhancement Program is unique as the cash match may come from any source type including other federal funding sources except another U.S. Department of Transportation (USDOT) sponsored funding source. **Therefore, you may use HUD money, for example, as part of your cash match.** You should note that this acceptance of federal funds as match source is only for Transportation Enhancement projects, no other FHWA program has this feature. You will be responsible for ensuring that you meet the program guidelines for other federal funding sources. DOTD in no way accepts responsibility for ensuring the rules are met for any federal program except for FHWA.

“HOW DO I GET PAID?”

Provide your DOTD Project Manager for Engineering and/or Construction Project Coordinator with all the paperwork that is requested in the manner in which it is requested. They are your contact for getting your reimbursement/disbursement.¹

Engineering invoices can be submitted for payment monthly. The engineer submits their invoice to the sponsoring entity with any supporting back-up documents. This invoice should include the following:

1. Invoice Summary Sheets
2. Back-up documents
3. Cost Records
4. Cost Disbursement Certification

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

You prepare your invoice and submit it with the above information and a copy of the disbursement request to your project manager. (DOTD sends the percentage of the Federal funds designated in your Entity State Agreement for the invoice)¹

Construction estimates are paid monthly. Back-up documents are transmitted by the DOTD Construction Coordinator to the DOTD Estimates Section in Baton Rouge. These usually consist of:

1. Invoices for advanced stockpile - if any.
2. Paid invoices of same stockpile in 30 days.

The **sponsoring entity is responsible for paying the contractor monthly**. You send a copy of the disbursement request to the DOTD Headquarters Estimate Section. (This can be faxed)¹. The Estimate Section will prepare the necessary paperwork for payment to you by DOTD. (If paper check is required, they will be sent twice a week. If electronic funds transfer (EFT) is used, then it appears in your account the next day after the Estimate Section works your request.)¹ You do not have to prepare an invoice as required for engineering.

WHAT HAPPENS IF YOU DON'T HAVE ALL THE DOCUMENTATION?

You are responsible to see that these records are supplied. Should the required records not be supplied, DOTD will be required to withdraw funding for the project and request the reimbursement of federal funds expended on the project. **THIS DOCUMENTATION IS A REQUIREMENT, NOT AN OPTION.**

WHEN CAN I REQUEST REIMBURSEMENT?

Actions (or work) taken prior to FHWA project authorization are not eligible for compensation. This does not mean the portion of the action done before authorization is ineligible and the portion done after authorization is eligible. None of the action is eligible. For example, if you intend to be compensated for right-of-way acquisition, and if you begin acquisition before authorization, none of the right-of-way acquisition will be eligible for reimbursement. **You will be notified in writing** when expenditures are authorized and can be incurred.

The project does not need to be complete before you begin to receive federal-aid reimbursement. Example: A parish government is the **sponsoring entity** for a project

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

to construct a turn lane. It is estimated the design will cost \$200,000 and take one year to complete. Once Federal-aid funds are authorized, the Entity-State Agreement has been executed, and the parish is given a notice to proceed (NTP), the parish may begin design. The parish will submit a copy of the invoice, required documentation and the request for reimbursement of that cost to DOTD. The process continues throughout the design phase. You and/or your consultant/contractor must document the work being done and keep the records on file and available for inspection according to federal rules. Copies of some of the records may be necessary to accompany your requests for reimbursement.

IS AN AUDIT REPORT REQUIRED?

A copy of your annual audit report of your financials should be submitted to your DOTD Program Manager, who will forward it to the DOTD Audit Section for review and tracking.

WHAT ABOUT PRESS RELEASES?

All press releases concerning any project must be cleared through your DOTD Program Manager assigned to the project and the DOTD Communications Director for accuracy and content. You are required to identify the DOTD and the FHWA for their participation in the project in any news releases or other promotional material for the project.

WHAT IS RESPONSIBLE CHARGE? ¹

In accordance with Federal Regulation 23 CFR 635.105 the Local Public Agency must provide a full time employee of the Local Public Agency to be in "responsible charge" of the project. This person does not need to be an engineer. This person is required even when consultants have been retained by the LPA to manage the entity's engineering activities, including design and construction engineering and inspection services. Identified below is the information and duties required of this employee.

WHAT DOES RESPONSIBLE CHARGE MEAN TO ME? ¹

You will provide the contact information of the person(s) you designate to be your Responsible Charge to your project manager. Please note that the regulation does not

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

preclude the sharing of the duties and functions among a number of public agency employees or one employee having responsible charge of several projects. If these duties are shared during the design and construction of the project, you must identify ALL of the employees responsible for the project and their responsibilities. You shall notify your project manager if any changes are made to the assignments. As per the federal regulations the following duties are required of the Responsible Charge:

- This person acts as the primary point of contact for the Entity with the DOTD Project Manager
- Oversees project activities; cost, time adherence to contract requirements, design and construction quality and scope
- Ensures the contract is properly recorded
- Directs project staff, agency or consultant, to carry out project administration and contract oversight including proper documentation
- Is aware of the qualifications, assignments and on-the-job performance of the agency and consultant staff at all stages of the project
- Makes or participates in decisions about changed conditions or scope changes that require change orders or supplemental agreements
- Reviews financial processes, transactions and documentation to ensure that safeguards are in place to minimize fraud, waste and abuse
- Maintains familiarity of day to day project operations & safety issues
- Visits and reviews the project on a frequency that is proportionate with the magnitude and complexity of the project
- Attends all project related meetings (It is understood that if the person in Responsible Charge is not in attendance, the meeting will be cancelled)

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

**WHO IS RESPONSIBLE FOR ENSURING THE PROJECT IS ON
SCHEDULE?¹**

It is your (the Entity's) responsibility to ensure your project is on schedule.

WHAT HAPPENS WHEN I DO NOT MEET MY PROJECT DATES?¹

DOTD plans a financially constrained program each year. If you miss your project scheduled letting date, you do not lose your money, but you lose the budget authority to spend it. If you move your project out of the scheduled fiscal year, you will have to wait and reschedule the project to a date that can fit into the DOTD budget authority.

¹ Revision 5-2012

Stage 0 Feasibility

Agreements

WHAT IS AN ENTITY-STATE AGREEMENT?

It is an agreement between the State and the **sponsoring entity**. This agreement identifies the responsibilities of each entity. You (the **sponsoring entity**) agree to supply the match share, manage and maintain the project, and assume the legal liability for the project. Depending on the program, the design engineering and construction administration (including supervision of contractor, record keeping, testing and inspection) funding is identified. DOTD will not advance the project until this requirement is met.

WHO PREPARES THE AGREEMENT AND WHEN?

DOTD will generate the Entity-State Agreement for the project prior to the initiation of any portion of the project that will require federal reimbursement. **This legal document spells out what each participant's responsibilities are.**

Basic information required to write the Agreement is:

- Project Number
- Federal Aid Project Number
- Project Title
- Parish where project will be constructed
- **Sponsoring entity's** legal name and Federal Identification Number
- Amount or percentage of federal funding eligible to be used for the project
- District where project will be constructed
- A detailed project description - what is being done, where it is being done, etc.
- Design and/or Construction Inspection Funding
- Maintenance and liability responsibilities

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

You will be sent the agreement with a letter stating the legal requirements to which you must adhere for DOTD to process the document. Should you have any changes to the agreement that you wish made before signing, you should contact the DOTD Program Manager on the proper procedure. If the changes are acceptable with DOTD, revised agreements will be sent out to you for your signature. Once signed, please follow the directions in the accompanying letter concerning who to send the agreement back to at DOTD.

CAN THE PROJECT SCOPE BE CHANGED?

Scope changes from the original detailed project description **are strongly discouraged** by DOTD. You cannot make changes in the design or scope of the project without justification, the **written approval** of DOTD's Program Manager and an adjustment to the project's Entity-State Agreement. You must relay any proposed changes in the scope of the project to the DOTD Program Manager as soon as possible after your decision to modify a project. Any changes in scope after environmental clearance has been obtained must be submitted to the Environmental Section for review. Changes in scope may require obtaining environmental clearance again. Changes without DOTD's approval will prevent the reimbursement of funding for the changed scope/items and could affect the eligibility of the project for funding if the environmental and right-of-way requirements do not conform to the federal requirements for those additions.

WILL DOTD PERFORM DESIGN/CONSTRUCTION INSPECTION FOR ME?

DOTD does not typically perform design or construction inspection on entity projects. It is the responsibility of you or your designer to perform such services. The DOTD project manager will contact the Construction Section to determine if they have personnel available to perform the construction inspection services on projects that are selected on state routes.¹ You may ask your project manager to contact the Construction Section to request them to perform the inspection on your project.¹ This will be evaluated on a case-by-case basis. (Exception: OSBR projects are either inspected by DOTD or a CEI consultant contract.)

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

HOW ARE CONSULTANTS CHOSEN?

For projects wherein you pay all design costs, the project design may start at anytime. You may choose the consultants for the project and negotiate the consultant fees without DOTD or FHWA oversight. However, you are prohibited from selecting or approving any consultant or sub consultant who is on DOTD's disqualification list or who has been debarred. (List may be found at www.dotd.la.gov, then clicking on the following: Doing Business with DOTD, Consultant Contract Services, Solicitation Information.) You are also responsible for any contract costs attributable to the errors or omissions of your consultants or sub-consultants.

NOTE: DOTD advertises and takes the bids on all projects; therefore, at NO time should ANY project construction wherein you expect reimbursement start before written authorization is provided by DOTD.

For projects that seek federal reimbursement for the design, **DO NOT BEGIN ANY WORK THAT YOU EXPECT REIMBURSEMENT UNTIL NOTIFIED IN WRITING (WITH A "NOTICE TO PROCEED") BY DOTD.** The DOTD Consultant Contract Services will solicit and advertise for the consultant according to the Department's consultant selection procedure. The consultant evaluations will narrow the pool to 3 firms. Then you will be notified and can make recommendations. **The DOTD Secretary ultimately selects the consultant.** The contract is prepared by the Consultant Contract Services Section. The contract is executed between you and the consultant. **Note:** The OSBR Program utilizes the DOTD Consultant Selection Process for all of their contracts.

WHAT IS THE BROOKS ACT?

The Brooks Act is also known as Qualifications Based Selection (QBS) establishes the procurement process by which architects and engineers (A/Es) are selected for design contracts. It is the qualifications-based selection process where contracts for A/Es are negotiated on the basis of demonstrated competence and qualification for the type of professional services required at a fair and reasonable price.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT IS EXPECTED IN STAGE 0 REGARDING ALTERNATIVES?

Stage 0 addresses feasibility only. Any recommendations regarding alternatives **MUST** be evaluated and selected in the environmental NEPA process.

WHEN MAY THE DESIGN START?

If there are no reimbursable funds in the design, the design may begin at any time. **If you expect reimbursement, no work should begin prior to the written notification from DOTD.**

SHOULD I ATTEND THE KICKOFF MEETING?

The Responsible Charge designee from the entity (you or your project manager) and your consultant/engineer must attend the Project kickoff meeting and any other project significant project meeting.¹

¹ Revision 5-2012

Stage 1

PLANNING / ENVIRONMENTAL

WHAT IS ENVIRONMENTAL APPROVAL?

Environmental Approval refers to the completion of the environmental process required by the National Environmental Policy Act (NEPA) and its related regulations. NEPA requires federal agencies to evaluate the effects of their actions on both the natural and human environments. This process is often referred to as the NEPA process. The required evaluation and resulting decision as to the course of action are documented. Once the final document is approved by the lead federal agency, the project is “environmentally approved.” This approval allows the project to be advanced into future stages of the project delivery process. Examples of federal actions most commonly encountered at DOTD that trigger NEPA evaluation are federal funding, federal permitting and federal approvals. Keep in mind that this approval can become “stale” (out of date) if the project is not advanced timely or if the basis for the decision changes.

Depending on the project, the action, and the federal agency, you may be required to perform all or a portion of the work and provide documentation to fulfill NEPA requirements. Refer to Environmental Manual. For FHWA projects, DOTD shares responsibility with FHWA to oversee the process and ensures it is completed correctly. For other federal agencies, the individual circumstances of the project will dictate. Hence, it is important that you coordinate with the DOTD prior to beginning Stage 1 (the NEPA process) on your own to ensure that the roles and responsibilities of all parties involved are clarified. **If the NEPA process is bypassed or done incorrectly, you jeopardize the future Federal funding, approvals or permitting for the project.**

For this procedure (and for all questions relating to environmental process), contact your Program Manager to obtain a contact for the DOTD Environmental Section. Please refer to the DOTD [website](#) preconstruction/environmental/Environmental Manual of Standard Practice further information.

¹ Revision 5-2012

Stage 2

FUNDING

PROJECT PRIORITIZATION

LPA programs are allowed (budgeted) a specified amount of funding to be spent each fiscal year. Please work with your program manager to develop an accurate project schedule. If you miss the agreed upon schedule, you will not lose your funding but your project will have to be worked into the program manager's future funding schedule.

DOTD receives specified funding obligation authority (budget authority) from FHWA each year. The obligation authority restricts the amount of federal assistance allowed during a specific time period. DOTD will annually schedule enough projects to spend all of the funds available. If your project is scheduled and misses its planned fiscal year, it will be replaced with another project to ensure DOTD uses all of the allotted money that fiscal year. Your project will be scheduled into a future fiscal year that has available funding obligation (budget) authority.¹

¹ Revision 5-2012

Stage 3

FINAL DESIGN PROCESS

WHAT IS THE ROLE OF THE DOTD PROJECT MANAGER?

The role of the project manager is to be your DOTD point of contact and to shepherd the project through the DOTD process reviews for letting.

WHO PROVIDES THE TRAFFIC CLASSIFICATIONS?

Typically for projects that require pavement design you must provide traffic classification counts and the pavement report prior to DOTD accepting the 30% preliminary plans submittal. Traffic counts should be broken down into the thirteen FHWA vehicle type classifications as specified by the *1993 AASHTO Guide for Design of Pavement Structures*.

WHO PROVIDES BORINGS?

You provide shallow borings and/or bridge borings as needed (except for the OSBR Program). If on a state route, DOTD may request this information from its Geotechnical Section.

WHAT IS THE PROCESS FOR LARGE CHANGES IN SCOPE OR BUDGET?

Any significant changes to the approved project scope or budget must be submitted to the DOTD Program Manager. The change will then be coordinated with the DOTD Office of Multimodal Planning and/or MPO.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT IS REQUIRED FOR A SURVEY?

All topographic surveys, right-of-way sketches and right-of-way maps must be made in accordance with the DOTD Location and Survey Manual or as approved by the latest standards and the Location and Survey Administrator. A letter is required from the design consultant that the survey is complete and sufficient for the scope of the project to continue with design. This letter must be transmitted to DOTD by you.

WHAT IS THE PROJECT DELIVERY PROCESS?

Depending on the complexity of the project, some projects may require more submittals than just preliminary plans, plan-in-hand prints, advanced check prints and final plans. Intermediate plans (partials) may be necessary; your DOTD Program Manager will determine what submittals will be necessary. Consultants should be registered with DOTD on ProjectWise. Contact your DOTD Program Manager to receive registration procedures.

WHAT DESIGN STANDARDS SHOULD BE USED?

All designs and engineering documents shall be prepared in accordance with the latest editions, supplements and revisions of the following DOTD manuals, when applicable.

- AASHTO Standards, ASTM Standards for DOTD Test Procedures
- DOTD Location and Survey Manual
- DOTD Roadway Design Procedures and Details
- DOTD Hydraulics Manual
- DOTD Standard Specifications for Roads and Bridges, latest edition
- Manual of Uniform Traffic Control Devices (Millennium Edition)
- DOTD Traffic Signal Design Manual
- National Environmental Policy Act (NEPA)
- National Electric Safety Code

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

- DOTD Environmental Impact Procedures (Vols. I-III)
- Policy on Geometric Design on Highways and Streets
- Construction Contract Administration Manual
- Materials Sampling Manual
- DOTD Bridge Design Manual
- Consultant Contract Services Manual
- International Building Code
- State Fire Marshal Code (NFPA 101)
- State Plumbing Code
- Americans with Disabilities Act Accessibility Guidelines (ADAAG)
- Geotechnical Engineering Services Document
- DOTD Policy For Roadside Vegetation Management
- A Guide to Constructing, Operating, and Maintaining Highway Lighting Systems
- Engineering Directives & Standards Manual (EDSM)
- LA Port Construction & Development Priority Program Procedures Manual for Funded Projects
- Statewide Flood Control Program Procedures Manual for Funded Projects

WHAT ABOUT THE PLAN FORMAT?

All plans let by DOTD shall be in the DOTD format regardless of type. The complete plan preparation guide may be found in [Chapter 8](#) of the Road Design Manual located on the DOTD website under Preconstruction/Road Design/Download and Forms/Road Design Manual

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

Summary of requirements:

For [electronic standard plan information](#) the consultant may go to the DOTD website at www.dotd.la.gov, go to Pre-construction/Road Design/Downloads/Electronic Standards for Plans, for DOTD CADD Standards Downloads at altivasoft.com and download DOTD's CADD standards in either Micro station or AutoCAD.

WHAT COMMON ELEMENTS SHOULD BE INCLUDED IN THE PLANS?

All DOTD let projects (except architectural projects) must have bid items for mobilization and temporary signs and barricades. If appropriate, construction sequencing sheets must be included in the plans. Usually construction layout will be included as a pay item.

If Construction layout is not included as a pay item and there are complex geometrics or structures contained in the plans, you will be responsible for providing construction layout at your own cost. Construction layout may also include vertical datum if drainage pipe is to be installed. The location of utility conflicts is vital to the construction layout.

For small projects, if Removal of Structures and Obstructions paid as a Lump Sum are used, then all items being removed under this item must be identified in one of 3 ways: 1) use of a table (preferred method), 2) each item is identified on the appropriate plan sheets or 3) by a general note on the plans listing the affected items.

For small projects, if the item for Excavation and Embankment paid as a lump sum is used, the consultant should include estimated quantities of excavation and embankment for the contractor's information.

Information supplied on the plans should be sufficient for a contractor to build the project. Stationing must be provided on the plans and any geometric information necessary for construction layout. Surveys should be of sufficient detail to provide any overhead or underground utility, drainage, obstacles and right-of-way information on the plans.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT IS A PLAN-IN-HAND?

After preliminary plans have been accepted and before final signed plans are accepted, a plan-in-hand meeting or field inspection will be held. This meeting consists of an office review of a minimum of the following documents: plans, draft technical specifications, projected cost estimate, constructability/biddability document and a field inspection of the project site. The plans should have right-of-way information, utility relocations and adjustments specified, typical sections and details, cross-sections (if needed) and a listing of pay items to be used on the project (final quantities are not required).

The DOTD Program Manager will coordinate with you and/or your consultant to set up the meeting. The various DOTD section personnel (Construction, Right-of-Way, etc.) will be invited to attend the meeting for their input. In most cases, the plan-in-hand will be held near the project site (your facilities or DOTD's district office). It will be your (or your representative's) responsibility to invite all utilities and non-DOTD/FHWA personnel affected by the project to the meeting.

WHAT IS NEEDED FOR ADVANCED CHECK PRINTS (ACPS)?

ACPs are plans considered completed for review. This submittal should include copies of the plans, specifications and cost estimate. These documents will be forwarded to other DOTD personnel for another review to ensure that all corrections have been made to the plans and no other issues have arisen since the plan-in-hand inspection. After this review and any corrections made resulting from it, you and/or your consultant will send in the final submittal for the project.

WHAT SHOULD THE SPECIFICATIONS LOOK LIKE?

DOTD will advertise and let the project. The **final bid documents may be prepared by DOTD personnel** or your engineer according to the Entity-State Agreement based on the final plans and bid items used. Consultants should create the specification document using standard Trns*port pay items to the greatest extent possible. These items are based on pay items in the *Standard Specification Manual for Roads and*

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

Bridges. If no standard pay item is available, then the non-standard Trns*port pay items should be used. All Trns*port items, both standard and non-standard, may be found in the [Master Schedule of Pay Items](#), latest edition, (Standard Specs). The latest pay item list is available at www.dotd.la.gov, Publications/Manuals, Standard Specifications. **You or your consultant is responsible for providing technical specifications for non-standard items that do not have a technical write-up.** (Trns*port has a report that is available to review past project bid items) If a pay item is needed that is not supported in either the standard or non-standard Trns*port item list, contact your DOTD Program Manager. Only architectural projects will be allowed to have one pay item for the project. This item is "Building," lump sum. However, the architect will be required to provide the DOTD Program Manager with a Schedule of Values breaking down the lump sum item.

General rules for pay items are as follows:

1. If the Trns*port item is sufficient for the use intended, use the Trns*port pay item number. If it states "Supplemental Description Required," use that to add whatever description is needed to distinguish that item.
Example: You have an Indian Hawthorne and a Spirea that are to be supplied in 3 gallon containers. The number and description would be 719-01-06060, Plants (Plant) (Container) (3 gallon) for both plants; but you distinguish the types in the (*Supplemental Description Required*). The Supplemental Description for the Indian Hawthorne would read (Clara, Indian Hawthorne, Raphiolepis Indica "Clara", 18" min ht, 18" min spread); the Spirea would read (Anthony Waterer Spirea, Spirea X Bumalda "Anthony Waterii, 18" min ht, 18" min spread).
2. If there is not a standard item, then a non-standard item (NS-) should be used and a technical specification for the item that must be supplied. If an existing non-standard item is not found, contact your DOTD Program Manager. The specification supplied must cover the following:
 - a. Scope of work,
 - b. Description of how work is to be accomplished (To what standards), and
 - c. Use the existing method of payment found in the list for the non-standard item.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

3. Each non-standard item must have a technical specification provided by the consultant. Along with the technical specifications, the consultant will provide a cover sheet for the technical specifications showing the project number and providing a signature block for each author of the technical specifications where they will sign and stamp.

For the plan-in-hand stage, the consultant will be required to submit a set of draft technical specifications for each "NS" item proposed to be used. A corrected copy of the technical specifications will be provided for proofing at the advanced check print stage. The signed and sealed cover sheet will only be required at final document stage.

WHAT ARE THE BASIC GUIDELINES FOR EACH PROJECT TYPE?

The [minimum design guidelines](#) for roads and bridges can be found on the DOTD website at Preconstruction / Road Design/Memoranda / Design Guidelines.

Information for [Bicycle, Pedestrian, Architectural and Landscaping Facilities Projects](#) can be found on the DOTD website at Preconstruction / Transportation Enhancement Program / Downloads / I've Got a Project Now What Do I Do.

WHAT TYPE OF REVIEW IS REQUIRED?

The LPA road and bridge construction projects require the same design reviews as traditional state projects. See the Road Design Manual page. For other types of projects, sidewalks, guardrails, landscaping, etc. please consult your program manager to determine the requirements for your program.

WHAT IS REQUIRED WITH A PROJECT SUBMITTAL?

All submittals require a signed title sheet and an estimate of probable cost. When transmitting the next submittal, written responses to the previous submittal's comments are required. The responses should indicate whether you and/or your consultant agrees or disagrees with the comment.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHO IS RESPONSIBLE FOR A DESIGN EXCEPTION?

You are responsible for any design exceptions. You, or your designer, shall fill out DOTD's Design Exception/Design Waiver Form. You will sign it and forward it to your DOTD program manager. If approved by the DOTD Chief Engineer, a note should be placed on the title sheet and on all applicable sheets referencing this design exception. For the OSBR Program the parish police jury approves the design exception for Rural Local (RL)-1 and RL-2 roadways. For an exception on a RL-3 roadway, a resolution is required with a special design exception form letter that is sent to the Chief Engineer for approval.

Permits

WHAT PERMITS DO I NEED?

Usually, required permits are determined during the environmental process. If permits are required you will be responsible for obtaining the permits and ensuring that they are current at the time of letting. Upon receipt of the permit, you shall supply a minimum of two copies of the approved permit for DOTD records. Both copies shall be sent to the DOTD Program Manager. The Program Manager will transmit one copy to the Environmental Section. If a permitting agency determines that a permit is not required, two paper copies of that letter should be sent to the DOTD Program Manager.

WHAT ARE SOME COMMON PERMITS?

A few examples of common permits are wetland permits (impacting wetlands or other waters), coastal use permits (within coastal zone), bridge permits (bridges over navigable waterways), LPDES permits (surface water discharge at construction site), scenic stream permits (impacting scenic stream) and occasionally levee permits (impacting levee). Please see the Stage 1 Manual for a list of common permits needed

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

for transportation projects. This is located on the DOTD website at [Preconstruction / Environmental / Documents / Environmental Manual of Standard Practice](#) beginning on page 7-40.

A railroad permit may be required when railroad right-of-way is encroached upon, or when the project crosses or has potential effects on the railroad. The need for railroad permits should be coordinated with the DOTD Rail Safety Engineer. It is highly recommended that this process be started as soon as possible after the project has been included in the program. You will be required to submit two copies of the executed permit. One will be filed with the DOTD Rail Safety Engineer and one will be filed with the DOTD Program Manager.

The Clean Water Act (Section 402) - Louisiana Pollutant Discharge Elimination System (LPDES) Surface Water Discharge Permit is issued by the Louisiana Department of Environmental Quality (LaDEQ). It is for the discharge of pollutants into state waters, including wetlands and groundwater. These permits are required if the projected area of disturbance during construction exceeds 5 acres. Activities included in the estimated area to be disturbed include but are not limited to: grubbing, excavation, grading, and utilities and infrastructure installation. Should your project fit this category, then a permit will be required. You will be required to provide your DOTD Program Manager with the projected area of disturbance in acres along with the nearest body of water that will receive any potential runoff as a result of the project. If the disturbance is greater than 5 acres, a special provision is added to the proposal making you or your contractor responsible for submitting the Notice of Intent (NOI)-and preparing the Storm Water Pollution Prevention Plan (SWPPP). If the project is on a state route, DOTD submits the NOI.

DOTD's general permit will be applicable should the projected area of disturbance be between 1 and 5 acres. Any project that disturbs more than 1 acre during construction must include the DOTD Standard Plan EC-01 as a part of the plans and pay items should be added covering the erosion control work. Additionally, prior to initiating construction activity, you and/or your contractor must prepare a Stormwater Pollution Prevention Plan (SWPPP). At the completion of the project and the site has been stabilized, a Small Construction Activity Completion Report (SCACR) form must be submitted to the LDEQ by January 28 of the year following the calendar year in which the project was completed in accordance with Part III.D.2.a.2, of the permit.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

A Coastal Zone Management Certificate is required to certify that the activity will comply with the state's Coastal Zone Management program (Shoreline Management Act). This affects the southern parishes.

WHAT ARE COMMON BRIDGE PERMITS?

Common permits required for most bridge projects may include US Coast Guard bridge permit (General Bridge Act of 1946), Corps permit (Rivers and Harbors Act – Section 10), Corps wetland permit (Clean Water Act – Section 404), DEQ water quality certificate (Clean Water Act – Section 401 Water Quality Certification), DEQ water discharge permit (Clean Water Act – Section 402), DEQ air emission permit (Clean Air Act), Coastal Use Permit (if in coastal zone) and Louisiana Scenic River Permit. For further descriptions on some of the permits please refer to the Stage 1 manual beginning on page 7-40.

WHEN DO I NEED TO GET THESE PERMITS?

Plans will not be considered delivered until all permits and agreements (right-of-way, utilities, environmental and railroad) are completed. Exception: For the OSBR Program DOTD submits requests to the U.S. Army Corps of Engineers for Section 404, Wetlands/Other Waters, permits in the appropriate parish's name.

Right-of-Way

WHAT ABOUT THE RIGHT OF WAY?

EACH PROJECT IS REQUIRED TO HAVE RIGHT-OF-WAY CLEARANCE BEFORE LETTING. **Caution:** Do **not** obtain any right-of-way for projects with federal funding prior to the completion of the project's NEPA process. The "*LPA Real Estate Manual*" clearly specifies the requirements.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT ABOUT PUBLICALLY OWNED LAND?

If the right-of-way or servitude takes place on public land, you need approval from the land owners to do the project. A Joint Project Agreement may fulfill this approval function, and may set the basis for the right-of-way clearance memo; however, additional approvals and/or documentation may be needed.

WHAT ABOUT PRIVATELY OWNED LAND?

On private land, the clearance requires that you acquire the property per federal standards. The [LPA Right of Way Manual](#) has more information. Property owners can donate land if all FHWA real estate acquisition procedures are followed. Do not proceed until you contact the appropriate Real Estate Section representative. (Contact your project manager to identify your representative.) The manual may be found on the DOTD website at Preconstruction / Real Estate / Manual / LPA Manual

WHAT IS THE PROCESS FOR BEING REIMBURSED FOR RIGHT-OF-WAY?

The allowance for reimbursement of right-of-way (ROW) cost is program specific. Please check with your Program Manager to determine specific program guidelines.

If you are requesting reimbursement, **all ROW acquisition coordination will be handled by the DOTD Real Estate Section**. Unless stipulated in the agreement, all administration costs for ROW acquisition shall be borne by you as a normal “cost of doing business.” Before any action is taken in obtaining the ROW, you must receive from DOTD a written notice to proceed from the Real Estate Section.

If you are not requesting reimbursement for ROW acquisition, you should obtain a copy of the “*LPA Right-of-Way Manual*” and conform to the procedural and documentation requirements in the manual. Any questions concerning real estate acquisition should be directed to the appropriate Real Estate representative.

Whether reimbursed or not, the existing ROW limits and any proposed ROW acquisition, including owner information, should be shown on the preliminary plans. All files will be audited by DOTD/FHWA prior to clearance. NOTE: Ultimately, a right-of-

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

way clearance memo must be obtained from the DOTD District Real Estate Section before letting.

WHO IS RESPONSIBLE FOR COORDINATING WITH UTILITY COMPANIES?

You are responsible for transmitting plans to the utility companies during all phases of the project. You are responsible for coordinating any utility relocations and providing all documentation required by the DOTD Utility Section.

WHAT IF I HAVE UTILITY RELOCATIONS?

Please contact your Program Manager. Some programs require utility relocations to be the responsibility of the **sponsoring entity** and require the affected utilities to be relocated prior to the DOTD letting. Some programs require a letter of assurance that all utilities will be relocated, if necessary, prior to letting.

Utility conflicts must be discussed at the plan-in-hand. It is advised that you coordinate the work and procedures with the DOTD District Utility Representative in your area. Many problems in construction are a result of utility issues.

Prior to construction verification and/or scheduling of the utility relocation a copy of the utility agreement and supporting documentation must be forwarded to the DOTD District Utility Representative and Area Engineer with a copy sent to the DOTD Program Manager.

WHAT IS NEEDED AT FINAL SUBMISSION FOR A DOTD LETTING?

Plans will not be considered delivered until all permits and agreements (right-of-way, utilities, environmental and railroad) are completed. The letting date will be set at a minimum of 3 months after the submission of the completed package.

The completed package sent to the DOTD Program Manager includes the following:

- Final signed, sealed and dated plans with both the consultant and your signatures

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

- Final technical specifications (electronic copy in Word) with cover sheet that has been signed and stamped by responsible parties
- Final cost estimate Plans, Specifications & Estimate (PS&E)
- Copies of issued permits
- Utility certification form

These documents will be transmitted to the DOTD Contracts and Specifications Unit for further processing.

Please note that the cost estimate will be entered into DOTD's Trns*port computer program, at which time, the DOTD Program Manager will compare actual bid prices received for Projects. This may result in an increase to the projected estimated cost. If so, you will be informed of the increase at the time that the final verification letter is sent by the Manager.

¹ Revision 5-2012

Stage 4

LETTING

WHAT IS MY LAST STEP BEFORE LETTING?

Prior to the final letting date being approved, a verification letter stating the following is required from you:

1. You are aware that you must provide any additional funds required to build the project should you want to concur with the bid award.
2. You* are aware that this is a cost-reimbursable program. Therefore, you* understand you must pay the contractor, and then request reimbursement.
3. You* are aware that you must provide construction administration and inspection, as well as testing for the project. These services shall conform to DOTD policies and procedures.
4. You are aware that maintenance and liability for the project is your responsibility. The Maintenance Schedule and Projected Annual Cost Report signed by you have been provided as a part of the final submittal.

*This is not applicable to the OSBR Program where DOTD executes the contract with the contractor.

WHO ADVERTISES THE PROJECTS FOR LETTING?

DOTD will advertise and let (award contract) the LPA projects with the exception of the Recreational Trails projects. This program is administered through the Department of Culture, Recreation and Tourism.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT IF AN ADDENDUM IS NEEDED?

All addenda (revisions to the plans or specifications after the signature of the DOTD Chief Engineer has been obtained) will be sent out by DOTD through the normal process. Contact your DOTD Program Manager should an addendum be deemed necessary.

Deadlines for addendums are as follows:

- If plans are involved, the DOTD Program Manager must receive the proposed addendum at least 12 days before the letting date.
- If only specifications are involved, the DOTD Program Manager must receive the proposed addendum at least 9 days before the letting date.

If an addendum is required and the deadline has passed, you must decide whether to pull the job from the letting or proceed with the letting. The DOTD Program Manager should be verbally informed as soon as possible and a letter should follow as soon as possible requesting postponement of the letting. Usually, if a project is “pulled” from the letting, it will be rescheduled for the next month’s letting.

WHAT HAPPENS AFTER LETTING?*

*This is not applicable to the OSBR Program where DOTD executes the contract.

Once the project has been let, a letter is sent to you asking for concurrence with the low bidder. Once the concurrence is received, DOTD will begin processing all needed paperwork for the award of contract. The contract is between you and the contractor. DOTD is not a party to the contract.

DOTD will send the contractor an “Entity Notice of Contract Execution” letter. This letter states that the construction contracts have been reviewed by DOTD and found satisfactory; it also gives you the authority to record the contract in the Clerk of Court’s office and to issue the “Notice to Proceed” for the work. You should coordinate the Notice to Proceed with the DOTD District Office.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

Your project engineer should schedule a meeting with the DOTD District Construction Project Coordinator before the pre-construction conference. This meeting should discuss and agree upon the following:

- When a DOTD-certified inspector is needed
- The paperwork required for partial estimates, final estimates and change orders (plan changes)
- Verify the sampling and testing requirements for the job
- Establish access to Site Manager and receive training if not already active

Please be aware that failure to comply with construction paperwork requirements will cause reimbursement of construction costs to be either delayed or (in severe cases) withheld. Your project engineer should schedule a pre-construction conference with the contractor, utility companies and DOTD personnel.

**HOW MANY FULL-SIZE PLANS AND PROPOSALS WILL I RECEIVE
FROM DOTD WHEN THE PROJECT IS LET?**

The plans and specification are available electronically. DOTD will provide one complete full-size set of plans and specifications to you. If you need additional copies, you should refer to Falcon.

Electronic and paper copies can be made from Falcon.

¹ Revision 5-2012

Stage 5

CONSTRUCTION*

*This is not applicable to the OSBR Program where DOTD executes the contract

WHO PROVIDES CONSTRUCTION INSPECTION?

If the project is located on a state route, DOTD's District Construction Section **may** provide the construction inspection. If the project is on a non-state route, you have the choice of inspecting the construction using in-house personnel, hiring a consultant with your own funds, requesting DOTD to obtain a consultant through DOTD's consultant selection process with you paying the prevailing match or requesting DOTD District Construction staff to perform inspection **if they are available**¹. (Please contact your program manager to determine your program's requirements; example the TEP requires the **sponsoring entity** to use their own funds for the design and construction inspection)

WHO DOES THE PROJECT ENGINEER WORK FOR?

The "Project Engineer" works for you. The construction contract is between you and the contractor. Your project engineer is responsible for inspecting the construction work and insuring that it is in compliance with the contract.¹

WHO IS YOUR DOTD CONTACT DURING CONSTRUCTION?

When your project begins the construction phase, your main DOTD contact will be your District Construction Project Coordinator. A District Construction Project Coordinator will be assigned the coordination of the project to assist you with keeping the necessary paperwork straight and providing project oversight. All projects are tracked through Site Manager. The daily construction inspection is your responsibility unless otherwise specified in your Entity-State Agreement. However, the District Construction Project Coordinator will ensure that the inspection is being performed so the public investment is being used wisely.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

**WILL THE DISTRICT CONSTRUCTION PROJECT COORDINATOR BE
GIVING MY PROJECT ENGINEER INSTRUCTIONS AND TELLING
HIM/HER WHAT TO DO AND HOW TO RUN THE JOB?**

NO!!! Your project engineer is responsible to manage the project.

**WHEN DO I NEED TO FIRST MEET WITH THE DISTRICT
CONSTRUCTION PROJECT COORDINATOR?¹**

Meet with him/her before the pre-construction conference. You and your project engineer should schedule a meeting with the DOTD District Construction Project Coordinator in order to determine when a DOTD certified inspector is needed; to review the paperwork required for partial estimates, final estimates and change orders (plan changes); and to verify what the sampling and testing requirements for the job will be. Documentation will follow the DOTD Construction Contract Administration Manual (CCA Manual), a copy of which may be downloaded from the Department's website. **Also, if your project engineer is not familiar with Site Manager, then your PE should request Site Manager access and training.**

**WHAT WILL THE DISTRICT CONSTRUCTION PROJECT
COORDINATOR DO FOR ME?**

As a general rule, the District Construction Project Coordinator is there to provide technical assistance and answer any of your questions. He/she will try to clear up confusing issues BEFORE something goes **WRONG**, NOT after something goes wrong. DOTD is there to assist you in solving problems before they happen. If there is any confusion or doubt, ASK FIRST, BEFORE going ahead. The District Construction Project Coordinator is there to provide guidance and answer questions.

**DO I NEED A DOTD CERTIFIED INSPECTOR TO INSPECT THE WORK
ON THIS JOB?**

Yes, you do. Inspectors used by you shall be DOTD-certified and experienced in the type of construction they are required to oversee. DOTD-certified inspectors will be

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

required for your project if a DOTD-certified inspector is required for similar work on DOTD owned construction projects. For example, pouring structural concrete would require a DOTD-certified inspector. Pouring sidewalks does not require a DOTD-certified inspector. To lay and backfill pipe does not require a DOTD certified-inspector; however, to run a density test does require a DOTD-certified inspector. To lay hot mix does require a DOTD-certified inspector. When in doubt as to whether a DOTD-certified inspector is required, please consult with the District Construction Project Coordinator.

WHEN DOES MY INSPECTOR NEED TO BE ON THE JOB SITE?

Inspectors should be on-site whenever construction activities that require an inspector are performed.

WILL DOTD EMPLOYEES OVERSEE AND INSPECT THE WORK ON MY JOB?

You are responsible for providing the inspection personnel for the project. However, DOTD may opt to inspect the work if they have personnel available to perform the services. Even if the entity provides for construction engineering and inspection, the DOTD District Construction Project Coordinator is still responsible to oversee and monitor your work.¹

ARE DOTD SAMPLING AND TESTING PROCEDURES REQUIRED FOR MY PROJECT?

Yes, unless otherwise stated in the contract specifications, all sampling and testing must be done in accordance with the DOTD Materials Sampling Manual.

WHO IS RESPONSIBLE FOR TAKING SAMPLES AND PERFORMING TESTING IN THE FIELD?

Your project engineer is responsible for obtaining all the necessary samples and performing tests in the field; he/she may have a certified or qualified inspector to assist

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

him, as required. If requested, the District Laboratory Engineer will advise on sampling/testing schedules.

DO DOTD SPECIFICATIONS APPLY TO MY PROJECT?

Yes, unless otherwise stated in the contract specifications, the project will have to be built in accordance with the latest version of the Louisiana Standard Specifications for Roads and Bridges.

WHO REVIEWS SHOP DRAWINGS?

Shop drawings and submittals are to be reviewed and approved by your design engineer. The engineer of record is responsible for reviewing shop drawings¹. (Exception: The OSBR Program) DOTD will be available for consultation, but will not accept approval responsibility.

Change Orders

WHEN DOES A CHANGE ORDER (PLAN CHANGE) HAVE TO BE INITIATED?

A change order should be initiated any time it is necessary to deviate from the contract, specifications or plans or any time there is an overrun or underrun for an item that is 5% or greater.

WHO WRITES THE CHANGE ORDERS?

Your project engineer is responsible for writing the change order. The DOTD Construction Project Coordinator can provide some guidance in how to do change orders; however, he/she will NOT write change orders for you.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

WHAT IS THE PROCEDURE FOR SUBMITTING AND GETTING A CHANGE ORDER (PLAN CHANGE) APPROVED?

The procedure is documented in the CCA Manual. The following is a summary:

1. NO extra work should be started until a change order has been approved (with all applicable signatures in Site Manager). In some cases, the District Construction Project Coordinator is able to discuss the proposed changes with DOTD (HQ) and can obtain a "verbal" approval for the extra work. (If a verbal approval has been received, the paperwork for the change order should be expedited.)
2. The "paperwork" part of the change order will be completed in Site Manager. Your project engineer will prepare it. The change order will address the overall scope of the project, the nature of the changes, and how they affect the items in the project and the quantities of the items. Also, you will need to provide a justification for any extra cost, extra work and any changes in contract time.
3. You and your project engineer will sign the change order document; then it will be forwarded to the District Construction Project Coordinator for further processing.

Reimbursement

HOW IS THE CONTRACTOR PAID?

Payment of the contractor is your responsibility. **Remember this is not a grant; it is a cost-reimbursable, program.** You will attach the invoice(s) to an executed Cost Disbursement Certification form certifying the work has been performed in accordance with the Entity-State Agreement and the goods and/or services have been received. You will have sixty (60) days from receipt of the disbursement from DOTD to provide proof of your payment to the contractor/vendor to DOTD for the invoiced services or goods.¹

The contract is between you and the contractor. DOTD is not a party to the contract. Therefore, any calls by the contractor to DOTD regarding payment of invoices will be directed back to you. All supporting paperwork required by the

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

District Construction Project Coordinator must be supplied before an estimate may be processed. The paperwork includes field books, daily diaries, etc. (as required by the Construction Contract Administration Manual) that is kept on the project as required. Site Manager will be used for tracking daily work reports and partial estimates. Field records will be kept in either field books or on spreadsheets.

Change Orders must be submitted to DOTD for review and concurrence, even if you pay for the entire plan change. Any extra work done prior to DOTD's concurrence may result in you being 100% responsible for pay. **Complete records must be kept for auditing purposes. The cost of any change orders that require additional monies (based on appropriate match) beyond the maximum federal funding level set in the Entity-State Agreement will be the sole responsibility of you.** All Change Orders will be done in Site Manager.

WHAT DO I NEED TO GET REIMBURSED BY DOTD?

You need to do the following things in the format stipulated in the DOTD Construction Contract Administration Manual (CCA Manual), latest edition:

1. All the items to be paid should be measured and documented in a field book (by your project engineer).
2. A detailed estimate should be prepared (by your project engineer) showing the different items to be paid and the quantity and dollar amount for each item. Your project engineer should sign the estimate.
3. Complete a Cost Disbursement Certification form.¹
4. All of the above will need to be given to the DOTD Construction Coordinator.

WHAT IS THE DISTRICT CONSTRUCTION PROJECT COORDINATOR'S ROLE IN REIMBURSEMENT?

He/she will assist you in providing information needed to fill out the daily work reports and how to generate an estimate in Site Manager.

¹ Revision 5-2012

HOW LONG DOES IT TAKE TO GET REIMBURSED AFTER THE DISTRICT CONSTRUCTION PROJECT COORDINATOR SENDS THE INFORMATION TO DOTD HQ?

If everything with your paperwork is in order and money is in the account, your check can be on its way in one to two weeks. If there are any problems or the required paperwork is not submitted, then it can take much longer.

Paperwork

WHERE DOES THE PAPERWORK NEED TO BE SENT?

All paperwork is kept at your project engineer's office during the project. After the Final Inspection, the paperwork is forwarded with the Final Estimate to the DOTD Estimate Engineer. **Your project engineer must have access to the SiteManager program and obtain training.** Failure to supply the required documentation will result in either a delay in reimbursement or possible withdrawal of federal funding should the matter not be resolved in a timely manner.

WHAT RECORDS NEED TO BE KEPT AND MAINTAINED?

- Daily diaries or Daily Work Reports (DWRs) shall be generated in Site Manager daily and approved and kept by your project engineer. The diaries must be started on the day of the Notice to Proceed and be kept every day until the job is done.
- Records of all samples taken, field tests performed and results shall be properly documented.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

- All field measurements and records documenting pay quantities shall be kept in accordance with the CCA Manual or Site Manager requirements.

WHAT HAPPENS IF I DON'T HAVE THE REQUIRED RECORDS?

You are responsible to see that these records are supplied. It is **strongly suggested** that the contract between you and your Consulting Engineer (if applicable) cover this issue, including penalty language in the contract. (DOTD is not a party to this contract.) This is for your benefit. Should the required records not be supplied, DOTD will be required to withdraw funding for the project and request the reimbursement of federal funds expended on the project. **THIS DOCUMENTATION IS A REQUIREMENT, NOT AN OPTION.**

WHAT INFORMATION DO I NEED TO SUBMIT TO DOTD, AT THE END OF THE JOB?

Most information will be generated by Site Manager if records were kept properly.

The required information is documented in the CCA Manual. Basically, the procedure is as follows:

- a. A Final Estimate form. Your project engineer is responsible for completing the final estimate. The information should be submitted in the same format as a partial estimate is submitted.
- b. A "recap" of the Weather and Working Days charged on the project.
- c. All documentation of field measurements of pay quantities and all records as to what the contractor was paid.
- d. All "Certificates of Release" from private property owners, etc. (if applicable).
- e. A set of "As-built" plans.
- f. A list of benchmarks used on this job.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
(FHWA Funded Programs)

The **sponsoring entity** is required to keep the records available for auditing by either DOTD or the Legislative Auditor for 5 years.

**WHAT HAPPENS IF THE INFORMATION REQUIRED AT THE END
OF THE JOB IS NOT SUPPLIED?**

Again, you are responsible to see that these records are supplied. Should the required records not be supplied, DOTD will be required to withdraw funding for the project and request the reimbursement of federal funds expended on the project. **THIS DOCUMENTATION IS A REQUIREMENT, NOT AN OPTION.**

**DOES DOTD HAVE TO BE PRESENT FOR THE FINAL
INSPECTION?**

The District Construction Project Coordinator must attend the final inspection for it to be official. Furthermore, your project engineer, the contractor and the District Construction Project Coordinator should **all** be present at the final inspection to ensure that all work has been performed in a satisfactory manner.

WHAT HAPPENS AFTER FINAL INSPECTION/ACCEPTANCE?

You are required to:

1. Adopt a resolution granting final acceptance to the contractor
2. File the acceptance in the Clerk of Court's office
3. Send a copy of the resolution and receipt of filing from the courthouse to the DOTD Construction Engineer

¹ Revision 5-2012

Frequently Asked Questions (FAQ's) for Sponsoring Entities Capital Outlay Programs (Port Priority and Statewide Flood Control Programs)*

***Note:** The following questions and answers are provided to identify any deviation in procedure for the Capital Outlay Programs (Port Priority and Statewide Flood Control Programs) from the procedures for the FHWA funded programs. If no question/answer is listed below, assume the FAQ procedure/answer above applies unless it specifically references the funding in the answer.

GENERAL

WHAT IS THE PORT PRIORITY PROGRAM?

The Port Priority Program provides state funding to public entities to improve the infrastructure of Louisiana ports and harbors, promote economic development, provide jobs, minimize congestion, improve safety and reduce maintenance cost on our highways.

WHAT IS THE STATEWIDE FLOOD CONTROL PROGRAM?

The Statewide Flood Control Program provides state funding to reduce existing flood damages in Louisiana by both structural and non-structural solutions.

Disadvantage Business Enterprise (DBE) **Program**

HOW ARE DBE PROJECT GOALS ESTABLISHED FOR A PROJECT?

You bid these projects and are responsible for setting any goals.

WHO IS RESPONSIBLE FOR DBE MONITORING AFTER CONTRACT AWARD?

You are responsible to monitor the DBE's performance to ensure the Commercially Useful Function (CUF) is performed.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

Funding

HOW DOES MY PROJECT RECEIVE FUNDING?

Applications are submitted quarterly to the DOTD Port Priority Program and annually to the DOTD Statewide Flood Control Program for a formal review and evaluation. If applications meet the program rules and regulations, they are prioritized and submitted to the Joint Legislative Committee on Transportation, Highways, and Public Works and a public hearing is held. DOTD prepares the recommended construction program and presents it to the Legislature for funding. Programs recommended but not funded will be included in the list of recommended projects for the following year. Upon funding by the legislature, DOTD shall enter into an agreement with the **sponsoring entity** to participate in the construction of the project.

HOW MUCH FUNDING WILL I RECEIVE?

The amount of state funds is set in the Entity-State Agreement according to state administrative code procedures. In the **Port Priority Program**, DOTD may limit the funding distribution to each **sponsoring entity** to no more than one third (1/3) per year of the single project maximum Legislative Funding Authority established for that fiscal year. You shall provide ten percent local match for the cost of constructing the project, and shall furnish all lands, easements, rights-of-ways, and spoil disposal area at no cost to the state.

The **Statewide Flood Control Program** is uniquely structured to provide an equitable distribution of funds throughout the state. For non-federal matched projects, the Statewide Flood Control Program provides up to 90% of the construction costs. You shall provide engineering, rights-of-ways, easements and utilities. For projects with Federal matching funds, state funding is provided up to 70% of your local non-federal share. You shall execute an agreement with the U.S. Army Corps of Engineers (Corps) for the federal funding.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

WHEN CAN I BEGIN CONSTRUCTION?

The program's Procedures Manual for Funded Projects lists the required submittals in order for a project to be eligible for reimbursement. **You must have a fully executed and approved Entity-State Agreement before entering into any contracts which obligate state funding and must follow all laws pertaining to public bidding.** Further, written authorization must be obtained from DOTD prior to advertising the project and any phase thereof for bids. Plans and specifications are to be submitted for DOTD review and verification of application scope prior to advertising.

WHEN DO I GET MY CHECK?

Remember these are cost reimbursable, pay-as-you-go programs. The money is not paid in an upfront lump sum check to you. The money is only set aside for the authorized phase. If your project is less than the approved funded amount, you cannot use the money for another project. During construction, partial payment requests are processed monthly for state funding. For Statewide Flood Control projects with federal funds, the Corps will develop a payment schedule for disbursement of funds.

WHAT IF THE COST INCREASES?

You will be responsible for any cost in excess of the Entity-State Agreement funded amount.

HOW MUCH MONEY DO I NEED ON HAND?

These are cost reimbursable programs. Therefore, you are required to have enough money to pay the invoices as per Louisiana law (within 30 days). **You pay the consultant/contractor first, and then file a request with the DOTD Project Manager for reimbursement for the funds.** Invoices may be filed with DOTD on a monthly

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

basis for state funding; therefore, you should ensure that you have sufficient monies set aside to cover payments and construction contract administration services. Statewide Flood Control projects with federal funds are typically reimbursed on an annual basis.

WHAT TYPE OF MATCH CAN I USE?

In the **Port Priority Program**, you shall provide a local cash match of at least ten percent of the cost of constructing the project. Funds obtained from federal or other non-state sources (i.e. private donations) may be used for the local match. State funds cannot be used as local matching funds. You may provide a local match greater than ten percent.

For non-federal projects, the Statewide Flood Control Program provides up to 90% of the cost of constructing the project. For federal matched projects, the Statewide Flood Control Program provides up to 70% of your local share of the cost of constructing the project. Funds obtained from federal or other non-state sources (i.e. private donations) may be used for the local match. State funds cannot be used as local matching funds. You may provide a local match greater than ten percent for non-federal and a local match greater than 30% for federally matched projects.

“HOW DO I GET PAID?”

Provide your DOTD Project Manager and DOTD District Coordinator with all the paperwork that is requested in the manner in which it is requested. They are your contact for getting your reimbursement. Payment requests are paid monthly for non-federal projects. The Corps will establish payment schedules for Statewide Flood Control projects with federal funds.

Submittals consist of:

1. **Sponsoring entity's** written payment request
2. Payment spreadsheet of unit bid items
3. Engineer's certificate
4. Invoices for stockpile.

DOTD will prepare the necessary paperwork for reimbursement.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

**WHAT HAPPENS IF YOU DON'T HAVE ALL THE
DOCUMENTATION?**

THIS DOCUMENTATION IS A REQUIREMENT, NOT AN OPTION. You are responsible to see that these records are supplied. No reimbursements will be issued without this documentation.

WHEN CAN I REQUEST REIMBURSEMENT?

Provided that work is in accordance with the contract provisions, you will make the first pay request for state funded projects within two months from the Notice to Proceed date. Each successive pay request will be made on this date of the month thereafter until completion of the contract. The Corps will establish payment schedules for Statewide Flood Control projects with federal funds.

IS AN AUDIT REPORT REQUIRED?

A copy of your annual audit report of your entity's financials should be submitted to State Auditor for DOTD.

WHAT ABOUT PRESS RELEASES?

All press releases concerning any state funded project must be cleared through your DOTD Program Manager and the DOTD Communications Director for accuracy and content. You are required to identify DOTD and its participation in the project in any news releases or other promotional material for the project. Press releases concerning Statewide Flood Control projects with federal funds should also be cleared through the Corps.

WHAT ABOUT FUNDING SIGNS?

No funding signs are required in construction for state funded projects. Signs for Statewide Flood Control projects with federal funds must identify the CORPS as providing funding for the project.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

WHAT HAPPENS WHEN I DO NOT MEET MY PROJECT DATES?¹

The cancellation or withdrawal of funds is set in the Entity-State Agreement. In the Port Priority Program and non-federal matched projects Statewide Flood Control Program, agreements may be terminated and funding reallocated to other projects in the program if not under construction within time frame specified in the agreement. For projects that completely funded in one fiscal year, projects must be under construction within eighteen months of notification of sufficient funding. The time frame is twelve months for projects completely funded over two fiscal years and six months for projects completely funded over three or more fiscal years. ¹

¹ Revision 5-2012

Stage 0 Feasibility

Agreements

WHAT IS AN ENTITY-STATE AGREEMENT?

It is an agreement between the State and you, the **sponsoring entity**. This agreement identifies the duties and responsibilities of each entity and the procedures to follow to develop construction plans and specifications, advertise and award a construction contract, and administer the construction contract. Agreements must be accompanied by a resolution authorizing an official of the **sponsoring entity** to execute and sign project related documents.

The **sponsoring entity** agrees to supply the match share; obtain all necessary permits for project construction; furnish all lands, easements, rights-of-ways and spoil disposal areas necessary for construction; assume all maintenance and operations costs and future alterations as may be required; agrees to implement the project in accordance with the program's procedures manual; and assume the legal liability for the project. DOTD will not advance the project until this requirement is met.

In addition to the executed agreement with the DOTD, the **sponsoring entity** shall execute an agreement with the U.S. Army Corps of Engineers (Corps) to participate in the construction of Statewide Flood Control projects with federal funds. The Corps will be the engineer and the contracting agency.

WHO PREPARES THE ENTITY-STATE AGREEMENT AND WHEN?

The same information for the answer to this question above applies with the exception of the basic information which is listed below.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

Basic information required to write the Agreement is:

- Project Number
- Project Title
- Parish where project will be constructed
- **Sponsoring entity's** legal name
- A detailed project description - what is being done, where it is being done, etc.
- Funding and Disbursements
- Project development, engineering and construction responsibilities
- Record keeping, reporting and audits
- Cancellation or withdrawal clauses.

CAN THE PROJECT SCOPE BE CHANGED?

Scope changes from the original detailed project description **are strongly discouraged** by DOTD. You cannot make changes in the design or scope of the project without justification, the **written approval** of DOTD's Program Manager and an adjustment to the project's Entity-State Agreement. You must relay any proposed changes in the scope of the project to the DOTD Program Manager as soon as possible after your decision to modify a project. Changes without DOTD's approval will prevent the reimbursement of funding for the changed scope/items.

WILL DOTD PERFORM DESIGN/CONSTRUCTION INSPECTION FOR ME?

DOTD **does not** perform design or construction inspection on Port Priority or Statewide Flood Control Program projects. It is your responsibility or your appointed representative to perform such services. Your registered professional engineer shall certify that the contractor is constructing the project with specified materials in accordance with the project plans and specifications for state funded projects. The

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

DOTD District Coordinator shall review work shown on partial payment requests for Port Priority and non-federal Statewide Flood Control projects.

HOW ARE CONSULTANTS CHOSEN?

For state funded projects you pay all design costs. The project design may start at anytime. Since you are not being reimbursed for design, you may choose the consultants for the project and negotiate the consultant fees without DOTD. However, you are prohibited from selecting or approving any consultant or sub consultant who is on DOTD's disqualification list or who has been debarred. (List may be found at www.dotd.la.gov, then clicking on the following: Doing Business with DOTD, Consultant Contract Services, Solicitation Information.) You are also responsible for any contract costs attributable to the errors or omissions of your consultants or sub-consultants.

For Statewide Flood Control Projects with federal funds, the Corps typically provides the design. For projects wherein the Corps is unable to provide the design, the consultant selections will be done in cooperation with the Corps.

NOTE: At NO time should ANY project phase wherein you expect reimbursement start before written authorization is provided by DOTD.

WHEN MAY THE DESIGN START?

If there are no reimbursable funds in the design, the design may begin at any time for state funded projects. On Statewide Flood Control projects with federal funds requiring consultants, design may not begin without Corps participation.

SHOULD I ATTEND THE KICKOFF MEETING?

For Port Priority and non-federal Statewide Flood Control projects, you are responsible for the kickoff meeting.

¹ Revision 5-2012

Stage 1

PLANNING / ENVIRONMENTAL

WHAT IS ENVIRONMENTAL CLEARANCE?

For Port Priority and Statewide Flood Control projects, an assessment of the environmental effects anticipated as a result of the proposed project during construction and upon completion of construction is included in the application. Detailed environmental assessments may be required. Parameters that must be discussed include, but are not limited to: water quality, habitat modifications, fish and wildlife resources, cultural, historical, and archeological features.

Note: Please see Stage 1 answer above for more information on environmental clearance.

Stage 3

FINAL DESIGN PROCESS

WHAT IS THE ROLE OF THE DOTD PROJECT MANAGER?

The role of the project manager is to be your DOTD point of contact from application submittal through project completion.

WHAT IS THE PROCESS FOR LARGE CHANGES IN SCOPE OR BUDGET?

Any significant changes to the approved project scope or budget must be submitted to the DOTD Program Manager for approval.

WHAT IS THE PROJECT DELIVERY PROCESS?

The Procedures Manual lists all required project submittals, including agreement, plan development, resolutions, advertising and bidding, contract documents, construction administration, operation and maintenance and audits. Consultants requiring use of standard DOTD plans should be registered with DOTD on ProjectWise. Contact your DOTD Program Manager to receive registration procedures.

WHAT ABOUT THE PLAN FORMAT?

All plans and specifications for Port Priority and non-federal Statewide Flood Control shall be in the DOTD format regardless of type. See answer above for FHWA funded programs for specifics on DOTD format.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

Statewide Flood Control projects with federal funds shall follow Corps standards for plans and specifications.

WHEN IS NEEDED FOR PRELIMINARY PLANS?

Preliminary plans and specifications submitted to DOTD are reviewed for verification: 1) meeting application scope, 2) proper format is followed, 3) determination that all items are eligible for state participation, and 4) plans clearly indicate the work to be done and provide fair way to compensate contractor.

On Statewide Flood Control projects, Project Development Meetings and site visits are scheduled to review the preliminary plans. On Statewide Flood Control projects with federal funds, you will submit preliminary plans (supplied by the Corps) to DOTD for review.

WHAT IS NEEDED FOR ADVANCED CHECK PRINTS (ACPS)?

ACPs are plans considered completed for review. This submittal should include copies of the plans, specifications and cost estimate. These documents are forwarded to other DOTD personnel for review. Upon determination that ACPs meet program requirements, DOTD will advise you on advertising procedures.

WHAT SHOULD THE SPECIFICATIONS LOOK LIKE?

The **final bid documents shall be prepared** according to the Entity-State Agreement based on the final plans and bid items used. You or your consultant should create the specification document using standard Trns*port pay items to the greatest extent possible. **Note:** For detailed information on specifications, see the answer above for FHWA funded programs.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

WHAT ARE THE BASIC GUIDELINES FOR EACH PROJECT TYPE?

On Statewide Flood Control projects with federal funds, the agreement between the Sponsoring Entity and the Corps will reference project guidelines.

Permits

WHAT PERMITS DO I NEED?

You are responsible for obtaining all necessary permits for state funded projects. Parties responsible for obtaining permits will be according to agreement with Corps for Statewide Flood Control projects with federal funds.

WHAT ARE SOME COMMON PERMITS?

Please see the Stage 1 Manual for a list of common permits needed for transportation projects. This is located on the DOTD website at [Preconstruction / Environmental / Documents / Environmental Manual of Standard Practice](#) beginning on page 7-40. Any questions can be directed to your project manager.

WHEN DO I NEED TO GET THESE PERMITS?

All permits should be acquired prior to advertising and bidding.

Right-of-Way

WHAT ABOUT THE RIGHT OF WAY?

Before letting of the project, you are required to acquire all rights-of-ways, servitudes, easements and agreements to relocate and/or adjust utilities. You are responsible for adopting a resolution verifying these have been acquired and submit to DOTD prior to advertising.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

WHAT ABOUT PUBLICALLY OWNED LAND?

It is your responsibility to secure the agreement with the land owner for the project.

WHAT ABOUT PRIVATELY OWNED LAND?

You are responsible for obtaining the necessary rights-of-ways, servitudes, and/or easements. The property owner may donate the land to you.

WHO IS RESPONSIBLE FOR COORDINATING WITH UTILITY COMPANIES?

You are responsible for transmitting plans to the utility companies during all phases of the project. You are responsible for coordinating any utility relocations and providing all documentation.

WHAT IF I HAVE UTILITY RELOCATIONS?

Both programs require utility relocations to be the responsibility of you and require the affected utilities to be relocated prior to letting. For Statewide Flood Control Projects, utility conflicts will be discussed at the Project Development Meeting (PDM) held to review the plans and specifications. Many problems in construction are a result of utility issues.

¹ Revision 5-2012

Stage 4

LETTING

WHAT IS MY LAST STEP BEFORE LETTING?

Prior to letting you shall submit to DOTD:

1. Resolution indicating all permits, rights-of-ways, servitudes, easements and agreements to relocate and/or adjust utilities have been acquired
2. Letter requesting permission to advertise and reaffirmation of availability of **sponsoring entity's** matching funds
3. **Sponsoring entity's** engineer's certificate that plans, specifications and cost estimates are complete and have been developed in accordance with the application and program requirements (for state funded projects only).

WHO ADVERTISES THE PROJECTS FOR LETTING?

You will advertise and let (award contract) on the Port Priority and non-federal Statewide Flood Control projects upon approval by DOTD. The Corps will advertise and let (award contract) Statewide Flood Control projects with federal funds.

WHAT IF AN ADDENDUM IS NEEDED?

A copy of all addenda (revisions to the plans or specifications) shall be sent to DOTD per the submittal process listed in procedures manual.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

WHAT HAPPENS AFTER BIDDING?

You shall submit certification to DOTD that all procedures were in accordance with LRS 38:2211, et seq. You and/or Corps shall provide a written request for DOTD to review and comment on bid documents, tabulations, engineer's recommendation and adopted resolutions. Prior to issuance of the Notice to Proceed (NTP), you shall provide contract documents in accordance with LRS 38:2216, 38:2217, 38:2219 to 38:2225 to the DOTD Program Manager and the DOTD District Coordinator for projects with state funds. On Statewide Flood Control projects with federal funds, you shall submit the contract documents (supplied by the Corps) to DOTD for approval prior to issuance of Notice to Proceed.

WHAT PAPERWORK IS REQUIRED PRIOR TO CONSTRUCTION?

You shall have the original of the contract and bonds recorded in the Clerk of Court's office of the parish where the work is being performed and forward the recordation data to DOTD. You shall provide a copy of the contractor's anticipated cash flow requirements and the NTP to DOTD.

Please be aware that failure to comply with construction paperwork requirements will cause reimbursement of construction costs to be either delayed or (in severe cases) withheld. It is also recommended that the DOTD District Coordinator is included in pre-construction meetings.

¹ Revision 5-2012

Stage 5

CONSTRUCTION

WHO PROVIDES CONSTRUCTION INSPECTION?

Inspection of the constructed work shall be directed by a Louisiana licensed to practice Registered Professional Engineer chosen by you, the **sponsoring entity**. You shall insure appointment of a resident project representative/ inspector to inspect the constructed work and who will be under the direct supervision of the engineer. The engineer shall certify that the contractor is constructing the project with specified materials in accordance with the plans and specifications an accepted construction practices.

The Corps will provide construction inspection for Statewide Flood Control projects with federal funds.

WHO IS YOUR DOTD CONTACT DURING CONSTRUCTION?

When your project begins the construction phase, your main contact will be your DOTD Program Manager. The DOTD District Coordinator will be available for monthly verification of payment requests for Port Priority and non-federal Statewide Flood Control projects.

WILL THE DISTRICT COORDINATOR BE GIVING MY PROJECT ENGINEER INSTRUCTIONS AND TELLING HIM/HER WHAT TO DO AND HOW TO RUN THE JOB?

NO!!! Your engineer is responsible to run the projects with state funding. The Statewide Flood Control projects with federal funds will be run by the Corps.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

**WHEN DO I NEED TO FIRST MEET WITH THE DISTRICT
COORDINATOR?**

Meet with him/her before the pre-construction conference. Your engineer should schedule a meeting with the DOTD District Coordinator to review the paperwork required for partial estimates, final estimates and change orders (plan changes). Documentation will follow the DOTD program procedure manuals.

**ARE SAMPLING AND TESTING PROCEDURES REQUIRED FOR MY
PROJECT?**

Yes, unless otherwise stated in the contract specifications, all sampling and testing must be done by an independent Testing Laboratory selected and paid for by you, the **sponsoring entity**. All testing shall be done in accordance with the Standard Specifications of the American concrete Institute (ACI), the American Society of Testing Material (ASTM E329-93b, et seq) and/or DOTD Standard testing Procedures. Certified test reports must be kept on file in accordance with the program procedures manual.

Statewide Flood Control projects with federal funds shall follow testing procedures as stipulated in the agreement between you and the Corps.

DO DOTD SPECIFICATIONS APPLY TO MY PROJECT?

Yes, unless otherwise stated in the contract specifications, the project will have to be built in accordance with the latest version of the Louisiana Standard Specifications for Roads and Bridges. Statewide Flood Control projects with federal funds shall follow contact specifications per agreement between you and the Corps.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

WHO REVIEWS SHOP DRAWINGS?

Shop drawings and submittals are to be reviewed and approved by your engineer. DOTD will be available for consultation, but will not accept approval responsibility. The Corps will complete these reviews for Statewide Flood Control projects with federal funds.

Change Orders

WHEN DOES A CHANGE ORDER (PLAN CHANGE) HAVE TO BE INITIATED?

A change order should be initiated any time it is necessary to deviate from the contract time or price.

WHO WRITES THE CHANGE ORDERS?

You shall submit change order requests to DOTD prior to authorizing the contractor to perform any work. The maximum state share shall be as stated in the DOTD letter announcing any change in project funding. All costs overruns shall be your responsibility.

Reimbursement

HOW IS THE CONTRACTOR PAID?

Payment of the contractor is your responsibility. **Remember this is not a grant; it is a cost-reimbursable, "pay-as-you-go" program. This means you pay first; then DOTD will reimburse you the appropriate percentage. The contract is between you and the contractor. DOTD is not a party to the contract. Therefore, any calls by the contractor to DOTD regarding payment of invoices will be directed back to you.** All supporting paperwork required by DOTD must be supplied before a pay request may be processed.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
(Port Priority And Statewide
Flood Control Programs)

Change Orders must be submitted to DOTD for review and concurrence, even if you pay for the entire plan change. Any extra work done prior to DOTD's concurrence may result in you being 100% responsible for pay. **Complete records must be kept for auditing purposes.**

WHAT DO I NEED TO GET REIMBURSED BY DOTD?

You need to do the following things in the format stipulated in the program procedures manual:

1. A detailed estimate should be prepared (by your engineer) showing the different items to be paid and the quantity and dollar amount for each item. The **sponsoring entity's** engineer should provide an engineer's certificate.
2. Invoices and associated documents for stockpiled material should be provided.
3. All of the above will need to be given to the DOTD Coordinator for field verification.

After the construction contract is executed for Statewide Flood Control projects with federal funding, the Corps will estimate the amount of funds necessary for the remaining fiscal year and will advise you and DOTD. Said funds will be broken down into federal and non-federal. The state share will be reimbursed to you when requested with appropriate documentation.

WHAT IS THE DISTRICT COORDINATOR'S ROLE IN REIMBURSEMENT?

He/she will provide field verification of work for monthly payment requests.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

**HOW LONG DOES IT TAKE TO GET REIMBURSED AFTER THE
DISTRICT COORDINATOR SENDS THE INFORMATION TO DOTD
PROGRAM MANAGER?**

If everything with your paperwork is in order and money is in the account, your check can be on its way in one to two weeks. If there are any problems or the required paperwork is not submitted, then it can take much longer. For Statewide Flood Control projects with federal funds, reimbursement schedules will be developed by the Corps.

Paperwork

RECORD KEEPING

On Port Priority and non-federal Statewide Flood Control projects, you shall maintain all documents, papers, files, field books, material test reports, accounting records, appropriate financial records and other evidence pertaining to cost incurred for the project. You shall also make such materials available for inspection at all reasonable times during the project, and for a three-year period, from the date of the last and final payment of the last complete phase of the project.

RECORDATION

Forty-five (45) days after the Recordation of Project Acceptance the contractor shall submit to you a Clear Lien Certificate from the Recorder's office of the parish or parishes in which the work was performed. You shall provide certified copies of these to the DOTD program manager.

**WHAT INFORMATION DO I NEED TO SUBMIT TO DOTD, AT THE
END OF THE JOB?**

The required information is documented in the program procedures manual. Basically, the procedure is as follows:

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

- a. Certificate by the **sponsoring entity's** engineer that the work is complete and a recommendation of acceptance (Substantial Completion).
- b. A Resolution by the **sponsoring entity** accepting the work.
- c. A certified copy of the Recordation of Acceptance.
- d. A certified copy of the Clear Lien Certificate.
- e. A set of "As-built" plans with the professional engineer's stamp.
- f. A copy of the Operation and Maintenance Manual
- g. A final payment request and balancing change order.

The Port Priority Program requires you to develop and submit to DOTD a report comparing actual benefits derived from the project with the projected benefits as stated in the application. This monitoring report must be developed in accordance with program requirements for each of the five years immediately following completion of the project.

OPERATION AND MAINTENANCE

Both programs require that you agree to operate and maintain the project for a minimum of three years in accordance with an Operation and Maintenance Manual approved by DOTD. Noncompliance may cause you to be ineligible for funding of subsequent projects funded by the program.

WHAT HAPPENS IF THE INFORMATION REQUIRED AT THE END OF THE JOB IS NOT SUPPLIED?

Again, you are responsible to see that these records are supplied. Should the required records not be supplied, DOTD will be required to withhold the remaining retainage.

THIS DOCUMENTATION IS A REQUIREMENT, NOT AN OPTION.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Capital Outlay Programs
*(Port Priority And Statewide
Flood Control Programs)*

**DOES DOTD HAVE TO BE PRESENT FOR THE FINAL
INSPECTION?**

The DOTD Program Manager and District Coordinator must attend the final inspection for it to be official.

¹ Revision 5-2012

LPA Manual for Accessing Federal &
State Transportation Funds¹
FAQ's for Sponsoring Entities
Revisions

Revisions 5-2012

Whole Document – Name Change

Revisions made to the following questions/answers

Page 9 “How Much Money Do I Need On Hand?”

Pages 10-11 “How Do I Get Paid?”

Pages 11-2 “When Can I Request Reimbursement?”

Page 12 “What is Responsible Charge?”

Page 12-13 “What does Responsible Charge mean to me?”

Page 14 “Who Is Responsible For Ensuring The Project Is On Schedule?”

“What Happens When I Do Not Meet My Project Dates?”

Page 15 “Will DOTD Perform Design/Construction Inspection for me?”

Page 17 “Should I Attend the Kickoff Meeting?”

Page 20 Funding Project Prioritization

Page 35 “What Happens After Letting?”

Page 37 “Who Provides Construction Inspection?”

“Who Does the Project Engineer Work For?”

Page 38 “When Do I need to First Meet with the District Construction Project Coordinator?”

Page 39 “Will DOTD Employees Oversee and Inspect the Work on my Job?”

Page 40 “Who Reviews Shop Drawings?”

Page 41 “How Is the Contractor Paid?”

Page 42 “What Do I Need to Get Reimbursed By DOTD?”

Page 52 “What Happens When I Do Not Meet My Project Dates?”

¹ Revision 5-2012